

**BOARD OF VOCATIONAL REHABILITATION**  
**JUNE 7-8, 2007**  
**BRIMARK INN – SIOUX FALLS**

MEMBERS PRESENT: Beth Haug, Thomas Kober, Ron Ronshaugen, Larry Tolzin, Brady Kerkman, Dr. Jessie Easton, Grady Kickul, Monte Tschetter, Mary I'atala, Kathy Hassebrook, Dan Rounds and Melissa Flor. MEMBERS ABSENT: Shelly Schock and Kati Seymour. OTHERS PRESENT: Bernie Grimme and Colette Wagoner. Interpreters were: Christa Gunderson, Ja'net Grate and Nita Eagen.

WELCOME AND INTRODUCTIONS: Chairperson Tom Kober called the meeting to order at 1:35 PM. He welcomed everyone in attendance and asked him or her to introduce themselves. MEETING PROTOCOL – Tom explained the meeting protocol and asked everyone to raise his or her hands high when voting or wanting to be recognized.

**APPROVAL OF AGENDA – MOTION TO APPROVE THE AGENDA AS MAILED – MADE (M) AND SECONDED (S).** Dan asked that the Business Leadership Network (BLN) be asked to provide an update on the project at a future meeting. **MOTION CARRIED (C).** **APPROVAL OF MINUTES** - Tom asked for a motion to approve the minutes of the last meeting. **MOTION TO APPROVE THE BOARD'S MARCH 22-23<sup>RD</sup> MEETING MINUTES AND THE EXECUTIVE COMMITTEE MEETING MINUTES FROM MAY 16<sup>TH</sup> – MSC.**

TIME FOR PUBLIC COMMENT: Kathy thanked the Board for scheduling the meeting in Sioux Falls and providing members with the opportunity to attend the Youth Leadership Forum (YLF) legislative panel and luncheon. Board staff handed out a flyer on the Fall Conference scheduled for October 17-19 and a flyer announcing the Road to Freedom Tour stopping in Sioux Falls on July 6<sup>th</sup>.

DIVISION DIRECTOR'S REPORT: DIRECTOR'S COMMENTS – Grady started by following up on the Road to Freedom Tour and stated that members would be reimbursed for travel expenses if they attended this event. Second, Grady asked for members' thoughts or comments

on the YLF activities if they were able to attend the morning activities. Several comments included: impressed with the students; impressed with the number of legislators in attendance; more schools aware of YLF; attendees' relationships have remained strong over the years. Grady asked Melissa to share information about the transition element from the Office of Special Education perspective. Melissa indicated that teachers were impressed with the YLF Team Leaders that participated on a panel discussion; some teachers indicated they are seeing more students running their own Individualized Education Program (IEP) meetings; and awareness of the YLF program is growing. A total of 32 teachers were in attendance of the Summer Institute. Dan also shared that a lot of last minute work had to go into making YLF successful due to one facility and lack of follow through on their part. He also stated that YLF would most likely move to either Northern State University or South Dakota State University next year. **DRS BUDGET UPDATE:** Grady stated that the fiscal year is nearly over and the Division will be coming in under budget due to case services expenditures being down. He spoke of the waiting list resulting from going on the Order of Selection. On April 16<sup>th</sup> individuals were notified of being released from the list to begin developing their Individualized Plan for Employment (IPE), and the Division will open the waiting list again to an additional fifty individuals by the middle of June. He explained there are other waiting lists for the Assistive Daily Living Services Program (ADLS), and the Medicaid Waiver Program, which provides Personal Attendant Services (PAS) for individuals with quadriplegia. The Medicaid Waiver was over expended by ½ million dollars due to an increase in reimbursement rates for personal attendants and the number of people being served by the program. There is a priority policy for individuals residing in nursing homes. If the only reason they remain there is due to personal attendant care needs, they will go to the top of the list. PAS will become a priority for expansion for the next budget cycle (FY09) to adequately serve those on the waiting list. Grady stated that the Division is feeling similar stresses that other programs are feeling who rely heavily on federal funds since federal allotments have stayed at similar levels for the last 3-4 years. **BOARD/COUNCIL APPOINTMENTS** – Grady indicated that the Board has received

sufficient nominations to meet the makeup requirements for the Board. Grady explained that the Board has had a representative from the Statewide Independent Living Council (SILC), which was Tom Kober. Tom has term limited off the SILC, and Grady explained that he could be designated as the SILC representative to the Board unless there were objections to this. This vacancy is difficult to maintain due to the appointment dates, etc. to the two entities. There were no objections and Grady reported on the other nominations received. There are enough nominations to be presented to the Governor's Office for his consideration.

Grady interjected at this point in the meeting that Lorie Jirschele has left her employment with the Coalition. Grady highlighted her work for the Board and the SILC.

**DISCUSSION OF RSA ON SITE VISIT** – Grady reported that on Monday, seven Rehabilitation Services Administration staff will be in South Dakota for the on site visit. A handout was made available reflecting the entire week's meetings (see attached). The schedule reflected the VR and IL programs being reviewed and the people involved with each program. Three RSA staff will remain here next week and conduct a review of Western Resources for disABLED Independence, which will involve Denise White and Shelly Pfaff. The on-site review will offer two stakeholders sessions and Board members can participate either by videoconference or by telephone (see handout).

**MEDICAID ASSISTANCE FOR WORKERS WITH DISABILITIES (MAWD)** – Grady reported that the Medicaid State Plan was amended and approved by the Centers for Medicare and Medicaid Services (CMS) with an effective date of January 1, 2007. MAWD is a major outcome of the Freedom to Work Project, which is geared to benefit people with disabilities who are working or wish to work. A MAWD implementation team has been formed and meets regularly and it includes Department of Social Services, Department of Human Services and Freedom to Work Project staff. Grady reported that as of May 23<sup>rd</sup>:

- 82 people have been referred and initially screened
- 53 total have applied for MAWD
- 16 applications are pending
- 20 have been approved for MAWD and are on the program
- 17 applications were denied due to various reasons
- 4 of the applications that were denied did not meet severity of disability criteria – 2 are appealing these decisions, and these two cases are due to appear before an administrative law judge

Grady reported that during the past five months many bugs have been worked out and he feels all has gone very well with the implementation. Initial projections outlined seventy-seven total enrollees the first year with thirty-five individuals being new to Medicaid. After five months into the program twenty individuals have been added and are new to Medicaid. There was initial criticism of the program being too restrictive however it needed to start somewhere, and now there will be the ability to make recommendations for program expansion. This is one piece where work is being done to find health coverage for those who are “uninsurable”. DRAFT/FINAL POLICIES – Bernie reported that there are no draft policies to report on, however, the Division is working with the Department on an out-of-state travel policy to provide more flexibility for staff. Currently, some situations arise for counselors to cross the border of the state to meet with consumers and these travel situations require DHS Secretary approval.

ORDER OF SELECTION: Bernie provided a handout (see attached) to members and provided an explanation of its contents, as well as answered questions. The handout outlined the number of consumers assigned to a given category (i.e., most significant, significant, not significant); eligibility determinations, cases closed vs. moved into service and the number of individuals on the waiting list. He explained that some individuals remain on the waiting list until more medical documentation or assessments are obtained to determine appropriate category placement. Fifty consumers were moved off the waiting list after April 16 and moved into services. As of May 22<sup>nd</sup> there were a

total of 153 individuals on the waiting list. On June 15<sup>th</sup> the Division will open the waiting list again to another 50 individuals. (Individuals are selected based on the date they applied for services.) Bernie provided members with a copy of a memo dated June 5<sup>th</sup> outlining "Releasing Cases off of Order of Selection Waiting List". A question was asked regarding those remaining on the waiting list, specifically how many individuals are social security beneficiaries and can they be provided with contact information for the Benefit Specialists. In response to this question, members were reminded that consumers are given contacts for various resources for each community. Dan stated that some beneficiaries might pay for services themselves if they have appropriate contact information. Bernie indicated that he would review these referral lists and ensure that the Benefit Specialists' contact information is included. Bernie referenced the "Order of Selection Survey Form" handout. Bernie explained that this survey was prompted by discussion from the previous Board meeting. The questions asked and data collected to date includes: did the consumer contact the office in 14 days to schedule an appointment; is the case remaining open and the consumer will be meeting with the counselor to develop their IPE; and reason for closure. The information is still being gathered and entered into a database. The "Order of Selection Waiting List Impact" handout was reviewed. The graphs showed the numbers of applicants, consumers in Category II and in Category III in terms of referral sources, education level, living arrangements, SSA status, primary source of support, age and impairment. The following were explained: applications and referrals are decreasing; the majority of those in Category III are younger students with minor learning disabilities; and the majority of referrals are coming from education as compared to Category II which reflects an older group with a majority having physical impairments and being referred by the One Stop Centers. The data is deceiving because the numbers are low (i.e., Category III has data on 32 individuals only). The Division is still encouraging other entities to make referrals because the length of stay on the waiting list can be short.

WORKFORCE DEVELOPMENT COUNCIL UPDATE – Larry shared that the State Plan documents for the Divisions of Rehabilitation Services (DRS) and Service to the Blind and Visually Impaired (DSBVI) were shared with the Council at their last meeting. He reported on a Workforce Development initiative entitled “Dakota Roots” which is aimed at reaching out to South Dakotans who live in other states who want to move back to the state and look for a new career opportunity. Larry provided the numbers of students who are enrolled in alternative schools with the list totaling over 1,000 students. Comments regarding this included: why are so many students choosing alternative schools vs. regular schools; good choice for some students with behavior issues or looking at dropping out; it’s great that students have another option. Grady added that this was the time of year that the Council reviewed funding for the Career Learning Centers and with the lack of federal funds this conversation didn’t happen. The Department of Labor (DOL) will now have to deliver all the services under the Workforce Investment Act. Grady shared that he heard DOL received a Navigator Award to fund four positions. The Division will be working with DOL to train staff on disability related issues. A comment was made that we won’t see the full impact of the Career Learning Centers closing until well after July 1<sup>st</sup>. A comment was made returning to the topic of schools, No Child Left Behind and the continuing need for alternative schools. Another comment was alternative schools offer students a choice to complete their education by getting their GED vs. dropping out.

The meeting was suspended at 4:45 PM to break into committees: Executive Committee, Consumer Services Committee and Public Awareness Committee.

The meeting was reconvened at 8:35 AM on June 8th.

The Chairperson welcomed everyone and asked for introductions. He also reminded everyone of the meeting protocol.

TIME FOR PUBLIC COMMENT: Tom asked if there was any public comment. Bernie spoke about the training needs assessment that DRS

and SBVI disseminated to all staff, SILC, Board members, and Native American VR Project Directors. This was sent out electronically to members and Bernie shared hard copies of the document. He asked members to complete the in-service training needs survey and return it to staff either in hard copy or electronically.

Grady asked if the agenda could be adjusted to allow Bernie time to discuss the State Plan submission following the Consumer Services Committee report. The two items are very similar in nature and that would allow Bernie to attend the YLF debriefing. There were no objections to this agenda change.

BVR COMMITTEE REPORTS: EXECUTIVE COMMITTEE – Tom asked staff to share the committee's report. Colette reported that a request was received early this week from Prairie Freedom Center on behalf of the Sioux Falls Americans with Disabilities Act Committee. The request is seeking financial assistance to cover some of the costs of the ADA Anniversary Celebration to be held on July 26th at the Sertoma Park in Sioux Falls from 5:00 – 8:00 PM. Colette reported that the Executive Committee made a motion to recommend that the Board approve \$1,000.00 to support this event upon the committee submitting the full application. The discussion that followed touched on previously held events, attendance numbers and speakers. The funds would be utilized to help cover the cost of food, entertainment, and speakers. Staff was asked to disseminate information regarding the event as plans progress. **MOTION TO ACCEPT THE EXECUTIVE COMMITTEE'S RECOMMENDATION OF SUPPORTING THE SIOUX FALLS ADA ANNIVERSARY CELEBRATION IN THE AMOUNT OF \$1,000.00 AND OBTAIN THE COMPLETE APPLICATION – MSC.** CONSUMER SERVICES COMMITTEE: Brady reported that the committee has met four times over the last year to work on State Plan related items. The committee started their work with identifying the Strengths and Weaknesses of the Division and this continued onto the "Goals and Strategies" for State Plan development. The last committee meeting consisted of reviewing the draft State Plan attachments and providing edits to the Division. Any recommendations or input from this meeting

will be added to the attachment, which falls under the Board's responsibility. Bernie interjected comments about the committee's work thus far. It is his intent to share the Goals and Strategies document with the field offices to provide them with an opportunity to add action steps. The Division wants this to become a living document and this will hopefully improve the delivery of quality services. Bernie had the draft attachments available as handouts as well as the preprint. He added that the draft documents are also available on the Division's website. Brady welcomed any questions or comments from members. The State Plan document will be submitted by June 30<sup>th</sup>. He thanked the committee members for their hard work and input. Grady also expressed his appreciation of the committee's time and work on this and stated there is tremendous value looking at this document and the need for bench marks, reviewing it periodically and making necessary adjustments as time progresses. PUBLIC AWARENESS COMMITTEE – Larry provided the income and expense report on the Governor's Awards Luncheon. Total income was \$3,044.25 and expenses were at \$3,044.25, resulting in the luncheon balancing out. A question was asked regarding attendance and if it was greater than the previous year. Staff responded that it was. A comment was added that it helped with one of the award recipients attending with a large number of supporters. Ron provided an overview of National Disability Employment Awareness Month activities scheduled in October. Dates and locations of events known to date were provided. Once other events are finalized information will be forwarded to members. Larry encouraged members to attend these activities if they have an opportunity to do so, interjecting that the networking, speakers, and presentations are worth taking in. Kathy asked for permission to provide an update on the Employer Resource Network (ERN) project, since she had requested that her time be dedicated to work on this project vs. serving on a committee. Permission was granted. Kathy reported that things are going strong in Aberdeen; she still faces challenges to keep things going. She is looking at creating a brochure for ERN members and then utilizing this as a piece to take to other communities. Kathy thanked the Board again for their financial support of the training conducted in March, which allowed the Aberdeen Area Society for



Human Resource Managers to bring in a quality speaker. She is still hearing positive comments from other HR managers who attended Tim Gaard's training session. She hopes that the upcoming Fall Conference (scheduled in Aberdeen) will be another "home run event". She reported that she is trying to connect with other human resource managers to talk about "ERN" in communities across the state. She met with Mike Frost yesterday to talk about a variety of things. She explained things are growing in Aberdeen and she hopes to "plant the seed" in other communities. A question was asked about Rapid City and how things are going there, and Kathy responded that she hasn't had time to get back to them with her commitments with work and the committees she is involved in with ERN. She talked about making contacts with the other HR folks in various communities and building relationships with them. Grady suggested that an update on the ERN project become a standing agenda item for each meeting, and he reminded members to pause and think about what has been built upon so far. Different SHRM groups and mayor's committees have been formed or contacted; things are happening across the state and let's not lose sight of that reality.

FREEDOM TO WORK PROJECT UPDATE: Grady reported that the Freedom to Work Leadership Council met May 29<sup>th</sup> and 30<sup>th</sup> in Pierre. Election of officers was held with Ron Hoops elected as the Chairperson and Charlotte Athey as the Vice Chairperson. Grady reminded members that Greg Brandner left his position, and Denise White assumed his duties. She has extensive work experience on Medicaid and waivers. The continuation grant for the Medicaid Infrastructure was approved for an additional year on February 22<sup>nd</sup> for the seventh year. Notification for the next application was received already and the continuation grant will be due August 24<sup>th</sup>. PAS services and a Medicaid buy-in (MAWD) have been implemented in South Dakota, and the project will now focus on evaluation and breaking down barriers. Grady indicated the Board would be interested in one of the survey tools the project will be utilizing as an exit interview with persons with disabilities with successful outcomes. Items being looked at will include: what is their understanding of the benefit

specialists, what helped them in obtaining employment, has/have their social security benefits been impacted, what worked best for them. The Council is also looking at strategic planning; one item coming to mind is looking at more effective ways of working with employers.

STATEWIDE INDEPENDENT LIVING COUNCIL (SILC): Grady reported that Tom used to provide this report and that he will term limit off the SILC. He thanked Tom for his years of leadership and service to the SILC. The SILC met on May 31 and June 1 in Pierre. Election of officers resulted in the following: Ryan Green/Chairperson, Linda Biffert/Vice Chairperson and Jamie Mack as Member-At-Large. Grady reminded members that the SILC is involved with the RSA on-site review. A three-day on-site review will be conducted at Western Resources for disABLED Independence. It has been over ten years since a Center for Independent Living has had an on-site review. Grady explained that the SILC is in a similar timeframe of seeking nominations for pending vacancies. At least ten nominations were received and these will be forwarded to the Governor's Office for his review and consideration. A question was asked of how a specific Center for Independent Living was chosen for the RSA on-site review. The response provided was that it was a random selection.

PROPOSED SLATE OF OFFICERS: Tom asked Grady to take over at this point in the meeting. Grady explained that it has been a tradition for the Executive Committee to come forth with a proposed slate of officers for the Board's consideration. The Executive Committee's proposed slate of officers was as follows: Tom Kober/Chairperson, Monte Tschetter/Vice Chairperson and Shelly Schock as Member-At-Large. Grady presented the nomination of Tom Kober for Chairperson. He has asked three times for nominations from the floor. Hearing none - **MOTION TO ELECT TOM KOBER AS BVR CHAIRPERSON. MSC.** Grady then presented the nomination of Monte Tschetter as Vice Chairperson. He again asked three times for nominations from the floor. Hear none - **MOTION TO ELECT MONTE TSCHETTER AS VICE CHAIRPERSON - MSC.** Grady next presented the nomination of Shelly Schock as Member-At-Large. He called three times for

nominations from the floor. Hearing none – **MOTION TO ELECT SHELLY SCHOCK AS MEMBER-AT-LARGE – MSC.** The elections concluded at this time and the meeting was turned back over to Tom.

OTHER BUSINESS: Tom asked if there was any other business. Melissa reported that the Office of Special Education will be looking at what students are doing one year out of high school as an indicator. Black Hills State University is now contacting students or parents obtaining this information (i.e., employment, secondary schooling). She wanted to know if this would be something the Board would be interested in hearing about. Members indicated that they would be interested, and invited an update by Dr. Cooch for the December meeting.

CLOSING ACTIONS: FUTURE AGENDA ITEMS – Staff reminded members of the requests to have updates on the Business Leadership Network and the ERN project on future agendas. Grady indicated that Kathy could work with Bernie with office contacts, etc. The next meeting has been scheduled to be held in Pierre on September 13/14. On the 13<sup>th</sup> a luncheon has been planned for the members of the Board and PLANS (People Leading Accessible Networks of Support). The luncheon would be similar to the luncheon event held in Aberdeen. Grady suggested that information regarding PLANS be shared with the Board prior to the luncheon. After further discussion it was suggested that a representative of each group provide a brief overview of what their purpose is at the start of the luncheon. Staff agreed to work with Brooke Lusk on this part. **MOTION TO ADJOURN – MSC.** Meeting adjourned at 9:40 AM.